

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In re MUHAMMAD-KHALIL IBN
ABDULLAH,

Case No. [16-cv-06819-YGR](#) (PR)

**ORDER OF DISMISSAL WITHOUT
PREJUDICE**

Petitioner filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On December 19, 2016, mail directed to Petitioner by the Court was returned to the Clerk of the Court with the following notation: "RETURN TO SENDER - Not in Custody." Dkt. 4. On January 23, 2017, another piece of mail directed to Petitioner by the Court was returned to the Clerk with the same notation: "RETURN TO SENDER - Not in Custody." Dkt. 7. To date, Petitioner has not updated his address with the Court or submitted any further pleadings in this case.

Pursuant to Northern District Local Rule 3-11 a party proceeding *pro se* whose address changes while an action is pending must promptly file a notice of change of address specifying the new address. *See* L.R. 3-11(a). The Court may dismiss without prejudice a complaint when: (1) mail directed to the *pro se* party by the Court has been returned to the Court as not deliverable, and (2) the Court fails to receive within sixty days of this return a written communication from the *pro se* party indicating a current address. *See* L.R. 3-11(b).

More than sixty days have passed since the initial mail directed to Petitioner by the Court was returned as undeliverable on December 19, 2016. The Court has not received a notice from Petitioner of a new address. Accordingly, the petition is DISMISSED without prejudice pursuant to Rule 3-11 of the Northern District Local Rules. The Clerk shall terminate all pending motions and close the file.

IT IS SO ORDERED.

Dated: March 6, 2017


YVONNE GONZALEZ ROGERS
United States District Court Judge